



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2022

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) .No.12517 of 2012

P.Shanthi

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District.
2. The Superintendent of Police,
Ramanathapuram District.
3. The Revenue Divisional Officer,
Ramanathapuram.
4. The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.
5. The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.
6. N.Kannan
7. N.Malairaj
8. M.Poosathurai
9. Pothumponnu
10. S.Pandi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the first respondent in Moo.mu.A4/5077/2012 dated 28.08.2012 and quash the same, consequently, direct the respondents No.1 to 5 to initiate a stringent action against the respondents No.6 to 10 for ex-communicating the petitioner and other unlawful acts and ensure that the petitioner is leading a normal life as in the case of other villagers.



For Petitioner : Mr.K.Radhakrishnan
For R1 to R5 : Mr.N.Muthuvijayan
Special Government Pleader
For R6 to R10 : Mr.R.Venkateshwaran

ORDER

The present writ petitions has been filed challenging an order passed by the third respondent herein, on 28.08.2012.

2. The writ petitioner had lodged a complaint to the third respondent that she has been ex-communicated from the village and she is not being permitted to participate in the Temple festival and tax is also not collected from her. The petitioner had made further allegations as against one individual that she was sexually harassed by the said individual. After enquiry, under the impugned order, the third respondent has found that the petitioner has not been ex-communicated from the village and she is availing all the services as like any other person. The Revenue Divisional Officer has further found that the allegations regarding sexual harassment are not true. The Revenue Divisional Officer has further held that the petitioner is always entitled to participate in the Temple festival and nobody should prevent her from offering worship in the village Temple. The said order is under challenge in the present writ petition.

3. According to the writ petitioner, the respondents have not properly considered the fact that none of the villagers are in talking terms with writ petitioner and the said fact has not been properly considered by the third respondent and the third respondent has arrived at an erroneous finding that she has not been ex-communicated.

4. The social norms cannot be enforced through legal proceedings. If any of the villagers are voluntarily not in talking terms with the writ petitioner that cannot be enforced through a writ petition. However, the writ petitioner cannot be ex-communicated from the village or cannot be prevented from participating in the public activities. The writ petitioner should always be allowed to participate in the Temple festival and she should not be prevented from offering her worship in the village Temple. The said rights of the petitioner have been guaranteed and upheld in the impugned order. I find no reason to interfere in the order of the third respondent herein. In view of the above said facts, nothing survives.



5. With the above said observations, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(T & P)

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// True Copy //

/07/2022

Sub Assistant Registrar(CS)

jbr

To

1. The District Collector,
Ramanathapuram District.
2. The Superintendent of Police,
Ramanathapuram District.
3. The Revenue Divisional Officer,
Ramanathapuram.
4. The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.
5. The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.

+1 CC to M/s.SPL.GP (SR-27746[F] dated 23/06/2022)

Order made in

W.P. (MD) .No.12517 of 2012

22.06.2022

ck(CO)

TR(04.07.2022) 3P 7C